
PLANNING COMMISSION MINUTES

Meeting of May 26, 2016

City Hall Council Chambers * 290 North 100 West Logan, UT 84321 * www.loganutah.org

Minutes of the meeting for the Logan City Planning Commission convened in regular session on Thursday, May 26, 2016. Chairman Davis called the meeting to order at 5:30 p.m.

Planning Commissioners Present: David Butterfield, Amanda Davis, Dave Newman, Tony Nielson, Eduardo Ortiz, Russ Price, Sara Sinclair

Staff Present: Mike DeSimone, Russ Holley, Amber Pollan, Kymber Housley, Paul Taylor, Craig Humphreys, Bill Young, Debbie Zilles

Minutes as written and recorded from the May 12, 2016 meeting were reviewed. Commissioner Nielson moved that the minutes be approved with a minor grammatical change. Commissioner Sinclair seconded the motion. The motion was unanimously approved.

PUBLIC HEARING

PC 16-022 Nelson Farms Rezone [Zone Change] Allen Bingham/Wesley Nelson Farms Inc., authorized agent/owner, request a rezone of the west side of Heritage Drive from Resource Conservation (RC) to Mixed Residential Medium (MR-20). The frontage along Hwy 89/91 would remain Resource Conservation. The property is located at 2362 S. Hwy 89/91; TIN 03-007-0019.

STAFF: Ms. Pollan reviewed the request to rezone 32 acres from Resource Conservation (RC) to Mixed Residential Medium (MR-20). There is a stub road for a future alignment of Heritage Drive on the northeast part of this property. Approximately 20.6 acres between the Highway and Heritage Drive alignment is not proposed to be changed at this time. The purpose of the rezone is to be able to subdivide and develop this area as a medium density, mixed residential development.

The MR-20 zone is intended to provide a range of housing options for all stages of life and levels of income. MR-20 areas are to be located near employment centers and service areas allowing residents to be within walking distance of many services and/or jobs, and where transportation choices are (or will be) available. This form of housing contributes to efficient, sustainable development, which preserves the open lands surrounding Logan and minimizes traffic congestion.

The area is part of the Cache Valley South Corridor Development Plan. The Plan indicated areas that may be appropriate for nodes of development as areas start to warrant traffic signals on Hwy 89/91. The 3200 South and 1000 West intersections warrant lights at this time and UDOT spacing guidelines intend for one light to go between those intersections (2200 South or 2600 South were considered as possibilities). The Plan indicates that a light going in at one of those locations, or another within that stretch of highway, may be appropriate for a small node of commercial development. The Plan also promotes maintaining quality agricultural areas along the highway corridor, separations between communities, and controlled development. As there is not an area set for the future node, it is not appropriate to make zone changes at this time. The MR-20 is an intensive zone that is not consistent with the surrounding area.

This area does not currently meet the intent of the MR-20 zone. The area is adjacent to a small commercial node but may not be suitable for development or a medium density mixed development. Adjacent single-family residential development is at approximately 1/3 acre lots and includes a conservation easement subdivision. The R-2A zoning in Nibley allows for single and two-family developments with minimum lot sizes of 12,000 SF. There is an existing townhouse development that is approximately 10 units per acre that transitions to single-family residential. The MR-20 zoning would allow for a mix of housing from single-family residences to apartments at up to 20 units per acre. The approximate 32 acres could build out to 640 units which is an intensity that is not suitable to the agricultural nature of the neighborhood.

PROPONENT: Allen Bingham, President of Wesley Nelson Farms Inc., explained that the Bingham family has owned the property for over 50 years. The parcel has been used agriculturally; however, one of the biggest challenges is encroachment. There are multi-family units to the northeast. The property has been rented out for farming; however, the grandchildren (who own the land) would like to explore different opportunities for the property.

Jared Bingham advised that they met with an engineer to consider several options and determined that, at some point in time, most of this area will become commercial. There are commercial buildings to the north and it would be a struggle to find buyers for single-family homes, therefore, it makes more sense for multi-family development. In looking at different solutions, it was determined that a 12.5 unit per acre density would work the best, however, Logan City does not have that zoning designation, which is why the MR-20 zone has been requested, however they do not anticipate that high of density.

PUBLIC: An email was received and distributed to the Commission prior to the meeting from Kim Datwyler, Neighborhood Nonprofit Housing Corporation, expressing concerns about developing one of the very few conservation easement subdivisions in Cache Valley and requesting denial of the zone change.

Nibley City sent a letter (distributed to the Commission prior to the meeting) indicating that Nibley has long anticipated a frontage road running parallel to Hwy 89/91 through this property and would like to see the continuation of the development of the frontage road, as a way to alleviate traffic. The Nelson family approached Nibley about tapping into city utilities but the property is in Logan City. There is a high-pressure sewer line running through the property; however, that line is not available for use to serve the development, as it is not designed nor intended for direct access. Additionally, Nibley would hope that, in examining the proposed land use for the property, the Commission would take into account whether such land use is compatible with surrounding uses.

An email from Dirk Howard was received and distributed to the Commission prior to the meeting. Mr. Howard is a Nibley resident and owner of a commercial property adjacent to the subject property. He expressed concern about the already heavy traffic in the area of Thomas Edison Charter School, which makes access to Hwy 89/91 difficult. Concern about potential residents driving through an industrial area was also noted. He requested denial of the zone change until more issues have been addressed in detail. Mr. Howard was present at the meeting and stated that many of his objections are based on assumptions, such as how much area will be zoned MR-20 and how many living units will be allowed. Due to lack of access there are concerns with ingress/egress and residents would need a safe transit because there is quite a bit of commercial trucking in the area.

Terry Hansen owns the farm south of 2600 South Hwy 89/91 and rents this property from the proponent. He does not oppose the proposal out of respect to the Bingham family and their property rights. He expressed gratitude for the ability to rent the property for many years. His concern is related to 2600 South access. 2600 South splits land he farms and is not a developed road at this time. He would like to see this access closed, especially as this project progresses.

Ben Farnsworth, representing Neighborhood Nonprofit Housing Corporation, outlined the concerns that were expressed in the letter from Kim Datwyler (that the Commission received prior to the meeting). They feel it would be inappropriate to rezone this area for higher density. The southeast corner of this property currently borders the Stonebridge development, which is a low-density conservation neighborhood with a rural feel. Neighborhood Nonprofit gave up valuable development fees to retain the rural nature of the area and feel that that this rezone request is not compatible.

COMMISSION: Ms. Pollan clarified for Commissioner Butterfield that the property was zoned Resource Conservation (RC) when it was annexed into Logan City in 2007. Commissioner Butterfield asked what type of activities and/or development would be allowed in the Resource Conservation zone. Ms. Pollan explained that RC zones are typically agricultural lands or wetland areas which would permit a low-density residential development (generally 1 unit per 20 acres). Commissioner Butterfield asked if there was any precedence from rezoning from Resource Conservation to another type of zone to allow for development. Ms. Pollan explained that there have been cases where actual development has been proposed with a request for a rezone (small areas) with the most recent example being just north of the CampSaver location.

Commissioner Butterfield asked if this proposal would have an effect on the development of the frontage road (concern indicated by Nibley City). Ms. Pollan said there is not a right-of-way; Nibley has had a frontage road in their Master Streets Plan since 2008. Mr. Housley, the City Attorney, advised that even though Nibley has that in their Master Plan, the property is in Logan City. When specific development is proposed, roads and access would be considered at that time. A frontage road could only be required if it were in Logan City's Master Transportation Plan (which it is not).

Bill Young, the City Engineer, addressed the Commission at the request of Chairman Davis. He advised that a number of years ago an access management agreement was reached by several communities along the highway. Intersections for possible signalization were identified (2600 South or 2300 South). Any amendment(s) to that plan would have to be agreed to by all parties involved.

Commissioner Price asked Mr. Young about the expectation of the area around the signal location to become a commercial node. Mr. Young said land use was not addressed, only points of access.

Mr. DeSimone, the Community Development Director, explained that the South Corridor Plan was based around the access management agreement and indicates that development along the corridor should be limited to clustered nodes located at existing and/or proposed intersections.

Chairman Davis pointed out that there have been discussions about protecting the corridor as an entryway into Cache Valley.

Commissioner Price expressed concern that making decisions at this point might foreclose an opportunity which would seem to be something that the Municipal Council would be concerned about. Mr. DeSimone advised that this issue could warrant further discussion because at this point it is unknown exactly where the signalization will be located. Commissioner Price noted that from a planning perspective he would like to know more about that issue.

Commissioner Price indicated that the MR-20 zone seems to be an over-densification for this area. He requested that the minutes reflect the desire to see the City begin to move forward on planning issues in this area/corridor.

Commissioner Butterfield asked Commissioner Price why he thought the proposal would be an over-densification. Commissioner Price said the MR-20 seems to be a departure from what the planners had in mind when the Future Land Use Plan and General Plan were adopted. MR-20 could also potentially impact development of a future commercial node, especially with no specific plan in place.

Commercial Butterfield said development plans do not necessarily have to be accepted if there is not infrastructure that could support it. Mr. Housley explained that a rezone would implicitly imply that utilities could be provided for the zone that is approved. A developer would be required to put in the infrastructure; however, the City would have to be able to provide utilities. A zone change could not be granted and then a project denied because utilities could not be provided.

Commissioner Sinclair supported Commissioner Price's concerns and staff's recommendation for denial.

Commissioner Nielson asked if children would be required to cross the highway to attend school. Mr. Housley pointed out that although the property has been annexed into Logan City, the students are in the Cache County School District; the annexation did not change school boundaries.

Mr. Housley clarified for Commissioner Ortiz that the City would be required to provide basic services such as utilities, fire protection, snow removal and environmental services.

Mr. DeSimone explained that the fundamental concern is the compatibility of the property with what is around it. It currently lacks infrastructure and utilities and there is uncertainty regarding corridor options (commercial notes and enhanced setbacks); without a specific plan it is difficult to move forward at this point.

Commissioner Butterfield stated that as a matter of principle, he would agree with denial, however, implicit in that decision is a decision to dramatically impact the economic viability for the property owner, which does not seem right. However, if there are questions as to the level of support which could be provided, it becomes a practical matter. He agreed with Commissioner Price's desire to see the City begin to move forward with regard to transportation issues along the highway corridor.

MOTION: Commissioner Sinclair moved to **recommend denial** to the Municipal Council for a zone change of approximately 32 acres of property located east of the proposed Heritage Drive extension at 2352 South Hwy 89/91 from Resource Conservation (RC) to Mixed Residential Medium (MR-20) as outlined in PC 16-022 based on the findings for denial listed below. Commissioner Nielson seconded the motion.

FINDINGS FOR DENIAL

1. The location of the subject property is not compatible with the purpose of the Rural Resource Conservation General Plan designation in the Future Land Use Plan.
2. The property is not a suitable location for all of the permitted uses within the MR-20 zoning district.
3. The subject property, when used for the permitted uses in the MR-20 zoning district, would be incompatible with the adjoining land uses or the purpose of adjoining zoning districts.
4. Long-range planning documents that include the area indicate a development node in the vicinity of this property. This should be coordinated with development in the area.

Moved: Commissioner Sinclair Seconded: Commissioner Nielson **Passed:** 7-0

Yea: D. Butterfield, A. Davis, D. Newman, T. Nielson, E. Ortiz, R. Price, S. Sinclair Nay: Abstain:

PC 16-023 Rose Hill Rezone [Zone Change] Troy Kartchner & Dan Larsen/Rose Hill LLC, authorized agents/owner, request a zone change of 13.03 acres from Neighborhood Residential (NR-6) to Mixed Residential (MR-9) at 1400 West 1800 South; TIN 03-005-0051;-0047.

STAFF: Ms. Pollan reviewed the request and provided a background of the subject property. The applicant would like to continue with Phases 3 and 4 of the Rose Hill subdivision. The previous phases of the subdivision were developed under a Planned Unit Development (PUD) which allowed for lot sizes less than 6,000 SF. The proponent is requesting the MR-9 zoning as it allows for smaller lots sizes, which would be compatible with the existing development.

The Rose Hill Planned Development plan was approved in 2003 as a subdivision that would provide for protection of sensitive natural areas, recreation amenities, and a diverse mix of single-family residences at an overall density that was consistent with a single-family zone in more rural areas at the edge of the City. The Rose Hill development may still be a compatible concept but the current NR-6 zoning does not allow for the lot sizes as proposed and the MR-9 zoning allows for uses and intensity of development that is not compatible with the area or General Plan.

The appropriateness and compatibility of additional development of lots, primarily in the 4,000-5,000 SF range, should be carefully considered. If the continuation of Rose Hill development is appropriate, there may be ways to provide for a rezone but not open up the area to incompatible development. In the Staff Report, staff recommended the Planning Commission continue the request so that some of these issues can be considered. Staff has met with the proponent and discussed options that may allow for Rose Hill Phases 3 and 4. The proponent will discuss their proposal for limiting their development and the Commission may be able to make a recommendation tonight. One of the options is the common area proposed on the south side of the development could be separate from the request or rezoned as Resource Conservation (RC) or Recreation (REC) to ensure that it is maintained as an open space and water retention area. It appears that there were some parcels created with the common area, or as remainders from the subdivision phases, that are not considered legal lots by Logan City. The parcel issues may be able to be resolved by a boundary line adjustment or subdivision. This would also allow for the bounds of a rezone to be provided more accurately to limit the area included in a rezone to MR-20. The proponent may be willing to record a deed restriction regarding the density and unit type for the build-out of the project.

PROPONENT: Dan Larsen, Kartchner Homes, explained that when construction drawings were submitted, it was discovered that the original approval for the project had lapsed. In working with staff to come up with a solution to continue the project, the MR-9 zone seemed to be the answer. He said they are willing to place a deed restriction on the project, their intent is not to change the original plan, the development has just taken longer than anticipated. The goal is to complete the project as initially approved.

PUBLIC: An email expressing opposition to the request was received by Justin Shea and distributed to members prior to the meeting.

Stephen Douglas, 1354 West 1900 South – a resident of Phase II, expressed concerns with the lack of compatibility regarding an MR-9 zone and assurances regarding the intent of development. The neighborhood has many young children and he is concerned with the possibility of increased density.

Mr. Housley explained that a deed restriction would be recorded on the land and future owners would be bound by the restrictions. In this case, the restriction(s) would address single-family detached homes and lot sizes. Problems could be addressed during the building permit process. These types of agreements have worked in the past and he has no reason believe it would not work on this project.

Cody McClellan, 1328 West 1925 South, asked if a zone change was necessary to continue with development. Chairman Davis explained that the previous phases of the subdivision were developed under a Planned Development which allowed for lot sizes less than 6,000 SF; the current zone does not allow for those lot sizes, therefore, they are requesting an MR-9 zone, which allows for smaller lots. Mr. McClellan expressed concern with access, parking and sidewalks; more housing will only compound the problem.

John Knighton, 1377 West 1825 South, said he is in favor of a deed restriction. Increased density has been the biggest concern. He would like to ensure that the original plan for development is kept.

Karen Stone, a real estate agent, said she is not opposed to the development growing sensibly. There is a concern with traffic in the area, especially 1800 South 1000 West. Residents are bound by covenants and she believes the developer should be bound by those same conditions and restrictions.

COMMISSION: Ms. Pollan clarified for Commissioner Price that the overall development (of all phases) was for 3.8 units per acre as initially proposed. Commissioner Price asked if there was any advantage to allow for an MR-9 zone. Ms. Pollan explained that Planned Unit Developments (PUD) are no longer allowed, therefore, in order for the project to move forward with the same type of development, a zone change would be necessary to allow for the continued type of density. Mr. DeSimone pointed out that the underlying issue is not density, it is lot size.

Commissioner Price asked about any buildability issues. Mr. Larsen explained that they are not planning on building homes with basements and they had all the appropriate tests done when the project began.

Chairman Davis asked about sidewalks and roads in Planned Unit Developments versus current requirements. Ms. Pollan explained that the majority of the roads meet City standards, part of the original plan did include sidewalk only on one side of the street. Current development would have to meet current standards and would be addressed during the building stage.

Commissioner Price said there still seems to be questions among residents regarding a restrictive covenant. In his opinion, if the project is continued or held back, it should be done so the residents have an opportunity to hear from the developer and feel more comfortable with the project. From a planning perspective, however, he would support the decision to change the zone to MR-9 with a deed restriction.

Mr. Housley pointed out that the City does not do "conditionally zoning" however the applicant has volunteered a deed restriction. He reminded the Commission that they are a recommending body and there will be ample opportunity to review the details as it progresses through the Municipal Council process.

MOTION: Commissioner Butterfield moved to **recommend approval** to the Municipal Council for a zone change of 13.03 acres from Neighborhood Residential (NR-6) to Mixed Residential (MR-9) at 1400 West 1800 South with a deed restriction limiting development to single-family detached homes with lots no smaller than 4,000 SF and a 6 unit per acre density based on the findings listed below. Commissioner Ortiz seconded the motion.

Commissioner Price asked about the suggestion from staff (indicated in the Staff Report) regarding the common area proposed on the south side of the development be separate from the request or rezoned as Resource Conservation or Recreation to ensure that it is maintained as an open space and water retention area. Ms. Pollan said this issue can be handled through the process.

FINDINGS FOR APPROVAL

1. The location of the subject property is compatible with the purpose of the new zoning district.
2. The subject property, as proposed and restricted for Phases 3 & 4 of the Rose Hill single-family residential subdivision, is suitable for all development within the new zoning district without increasing the need for variances or special exceptions.
3. The infrastructure providing access and utility services to the subject property have adequate capacities or a suitable level of service for the permitted uses within the new zoning district.
4. The subject property, when used for the permitted uses in the new zoning district, will not be incompatible with adjoining land uses or the purpose of the adjoining zoning districts.

Moved: Commissioner Butterfield Seconded: Commissioner Ortiz Passed: 7-0

Yea: D. Butterfield, A. Davis, D. Newman, T. Nielson, E. Ortiz, R. Price, S. Sinclair Nay: Abstain:

PC 16-024 Jones Park Ave Subdivision [Subdivision Permit] Tara Jones, authorized agent/owner, requests a 2-lot subdivision on .217 acres located at 509 Park Avenue in the Neighborhood Residential (NR-6) zone; TIN 02-068-0026.

STAFF: Mr. Holley reviewed the request to subdivide the property into two (2) residential lots. The applicant lives on the property in an existing home. The proposed area to subdivide is located south of the home and is currently fenced off. The proposed lots would be 0.53 acres (23,086 SF) for Lot #1 and 0.21 acres (9,147 SF) for Lot #2. A canal runs along the southern boundary of the property located near the middle of the irregularly shaped block. The proposed subdivision is at 2.6 units per acre density and meets the minimum 6,000 SF lot size requirements in the Land Development Code (LDC) 17.15.070. Lot #1 is shown with a width of 115' and Lot #2 with a width of 98', meeting the street frontage and width requirements.

Residential access will be from Park Avenue. Lot #1 and #2 could both be separately accessed from the west side of Park Avenue. Residential driveways are limited to a 22' wide curb-cut for safety and aesthetic reasons along city streets. The existing home's driveway is compliant with LDC regulations and when Lot #2 is developed, driveway compliance will be reviewed and approved during the building permit process.

PROPONENT: None

PUBLIC: None

COMMISSION: None

MOTION: Commissioner Nielson moved to **conditionally approve** a Subdivision Permit as outlined in PC 16-024 with the conditions of approval as listed below. Commissioner Sinclair seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. Two (2) lots are approved with this subdivision permit.
3. The final plat shall be recorded within one (1) year of this action or comply with LDC 17.58 Expirations and Extensions of Time.
4. Provide 10' public utility easement on all property lines at the bounds of the subdivision and 5' PUE on all other property lines.
5. Small street trees shall be planted, prior to the recordation of the final plat, in the park strip at 30' on center (average) along the Park Ave. street frontage. Verify species with City Forester prior to planting.
6. Driveway access and building setbacks for Lot #2 will be reviewed and approved for LDC compliance at the time a building permit is submitted.
7. Prior to recording of a final plat or issuance of a building permit, the Director of Community Development shall receive a written memorandum from the following departments indicating that their requirement has been satisfied:
 - a. Engineering
 - i. City Code requires a 15' easement/building/fence restriction from the top of canal bank (ensure that this easement is not greater than the 10' PUE shown on the plat; if this is greater than the 10' PUE increase the required easement along the south property line).
 - ii. Water and sewer connections to be addressed with the building permit.
 - b. Light and Power
 - i. Logan City Light & Power requires 1-line diagram, load data sheet, a digital site plan in Auto CAD (DWG) format, 10' public utility easement on all property lines that face a roadway and a 5' easement on all other property lines.

- ii. Contact Matt Turnbow with Logan Light & Power for power location (435-716-9722).

FINDINGS FOR APPROVAL

1. The project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because the subdivision meets the minimum requirements of the Land Development Code (LDC).
2. Each lot conforms to the requirements of LDC Title 17 in terms of lot size and development.
3. Each lot is suitable for development within the NR-6 zone.
4. The project conforms to the requirements of Title 17.47 concerning hearings, procedures, application requirements and plat preparations.
5. The project meets the goals and objectives of the NR-6 zoning designation within the Logan General Plan.
6. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.

Moved: Commissioner Nielson Seconded: Commissioner Sinclair **Passed:** 7-0

Yea: D. Butterfield, A. Davis, D. Newman, T. Nielson, E. Ortiz, R. Price, S. Sinclair Nay: Abstain:

PC 16-025 Burton Rezone [Zone Change] David Burton/MJ Enterprises Cache Valley, authorized agent/owner, request a zone change of .25 acres from Town Center (TC) to Mixed Residential Medium (MR-20) at 239 North 200 East; TIN 06-062-0036.

STAFF: Mr. Holley reviewed the request to rezone a 0.25 acre parcel with the intent of constructing a multi-family apartment building. The site currently contains a developed 10-stall asphalt parking lot and driveway approach onto 200 East. The remainder of the site contains multiple trees and low growing vegetation. This parcel was subdivided from the larger medical office complex property located to the west in May 2009 (Second East Subdivision). The asphalt parking lot still connects to the back parking lot of the medical office complex.

Based on the diverse zoning history of this area, the site development patterns and buildings are varied. The three largest structures are the LDS Church, the Senior Citizen Center and the medical office complex directly west of the site. The majority of the structures on the block are residential, with 11 single-family homes and 10 multi-family structures. Both 100 East and 200 East are used as alternatives to Main Street for north/south travel. With recent upgrades to 200 East and the projected growth of Logan, a robust commercial core is vital to overall longevity. Because of the surrounding conditions of the neighborhood and the unique and odd shape of this particular parcel, a better long-term land use would be a consolidated quality commercial development. Although high-density housing is important, the Town Center (TC) zone envisions residential development in a vertical mixed-use layout which better utilizes ground floor space for commercial services. Based on these issues, combined with the General Plan's recommendation, staff is recommending denial of this rezone request and is in favor of leaving the parcel zoned TC for future commercial development.

PROPONENT: David Burton pointed out that the last commercial building in the area was built in 1960 which indicates that the zone has not fostered commercial growth. During the time it was zoned for multi-family homes (circa 2000) there were three 4-plexes built. Nothing has been built since it was zoned to Town Center (TC) which has seemed to stop the growth on that particular block. Since the hospital was moved, the block has become blighted. This lot had a house that burned down in the 1950's. The remains of that home and the cement foundation are still there with vegetation growing around it, which is evidence to the fact that this area is not in demand. His desire for the zone change is to build a 4-plex, which he believes will be beneficial to the area.

PUBLIC: Laurie Mecham, represented the owner who could not be in attendance, does not agree with the recommendation that the area remain Town Center (TC). The owner has had several people look at the lot for commercial use; however, because of the way the lot is situated, it would not work.

There is not enough visibility for a commercial business. The block is filled with multi-family units and it seems that more multi-family lots would bring more residents closer to downtown. The lot is mostly weeds with an asphalt area that could be used for tenant parking. It is currently used for parking by nearby residents. This proposal would improve the appearance of the area. She questioned the best use of the property as it currently stands and where parking for a commercial development would be located; as a realtor she cannot see any potential for this lot to be used commercially. A 4-plex would do well in this location. She pointed out that 274 East 300 North was zoned from Town Center (TC) to Mixed Residential (MR) and questioned why there would be opposition to this parcel being rezoned. Jessie Eiman, 145 North 200 East, displayed an illustrated map outlining the ratio of owner-occupied homes the area. As a homeowner she is opposed to a 4-plex. One of the goals of the Adams Neighborhood Specific Plan is to provide a family-friendly neighborhood with single-family homes. This goal seems to be slipping with the continued trend toward high-density housing units. Long-term owners are the people who patronize downtown businesses. There is a need for a stronger core of owner-occupied dwellings in the Adams neighborhood.

John Eiman reiterated the recommended findings for denial as proposed by staff. The proposed zone change is not consistent with the vision and goals of the surrounding area as stated in the Adams Neighborhood Specific Plan, which was adopted in 2013, specifically under Zoning and Land Use Goals (page 7) *"Apply zoning and land use stability so that future generations have confidence to invest in existing homes and raise their families in the Adams neighborhood"*. Homeowners are concerned with the struggle to attract new families to the area and keep it a nice place. This property, with a slight rearrangement, could serve as a useful expansion of the Senior Center.

Nathan O Bray, 192 East 300 North, recently purchased a home in the area and enjoys living close to downtown. He does not want to see more rentals added to the neighborhood and is comfortable with the Town Center (TC) zone.

Scarlet Fronk, works for the real estate company representing Mr. Burton and is also a tenant of one of Mr. Burton's rental properties. As an owner/manager of rental properties, Mr. Burton makes an effort to screen and find stable rental tenants. Her hope is that this might help raise the standard for other rentals in the area.

Tharon Olsen, 138 East 300 North, encouraged following the recommendations from staff and denial of the rezone. A 4-plex could prevent future commercial growth.

COMMISSION: Commissioner Price asked about the characterization of the area and other commercial development. Mr. Holly pointed out the dental office to the south and quite a bit of commercial to the north, especially beyond 1000 North. The area has mainly older structures, some single-family homes and some that have been converted to multi-family.

Mr. Holley clarified for Commissioner Newman that the dental office has two points of ingress/egress and the driveway on this property would not be mandatory for an access easement and could be removed for future development.

Chairman Davis said she did not believe this request to be congruent with the General Plan and the Adams Neighborhood Specific Plan. Many of the public comments seemed to be on point.

Commissioner Price was excused from the meeting.

Commissioner Ortiz pointed out that this is an interesting block and this location does not seem to have a demand for commercial development. Mr. Holley explained that although the demand may be low now, zoning decisions are typically 30-year determinations. If a 4-plex is built, it could impact future commercial development. As Logan's population grows, these areas may become highly

desirable for compact commercial development. Higher density near downtown is encouraged; however, ground floor areas should be preserved for commercial use.

MOTION: Commissioner Sinclair moved to **recommend denial** to the Municipal Council for a zone change from Town Center (TC) to Mixed Residential Medium (MR-20) for the property located at 239 North 200 East as outlined in PC 16-025 with the findings for denial as listed below. Commissioner Newman seconded the motion.

FINDINGS FOR DENIAL

1. The rezone is not consistent with the adopted Logan City Future Land Use Plan.
2. The rezone is not consistent with the Logan City General Plan.
3. The rezone would likely result in the area not being developed as high-quality commercial development as contemplated in the General Plan.
4. By not changing the zoning, this site will have a better likelihood of being combined and developed in a collaborative method that may better accomplish the goals in the General Plan.

Moved: Commissioner Sinclair Seconded: Commissioner Newman **Passed:** 6-0
Yea: D. Butterfield, A. Davis, D. Newman, T. Nielson, E. Ortiz, S. Sinclair Nay: Abstain:

WORKSHOP ITEMS for June 9, 2016 - There will be no meeting held on June 9, 2016; the next meeting will be June 23, 2016.

Meeting adjourned at 7:25 p.m.

Minutes approved as written and digitally recorded for the Logan City Planning Commission meeting of May 26, 2016.

Michael A. DeSimone
Community Development Director

Russ Price
Planning Commission Vice-Chair

Russ Holley
Senior Planner

Amber Reeder
Planner II

Debbie Zilles
Administrative Assistant